

DISCUSSION OF THE CLAIMS

Claims 31-50 are pending in the present application. Claims 1-30 are canceled claims. Claims 45-50 are new claims. Support for new Claims 45 and 47 is found in paragraph [0039] of the PG publication, i.e., U.S. 2005/0256264, and in the Examples which describe a hydrogenated addition polymerization block copolymer in which a diene conjugated block is polymerized leaving blocks of unhydrogenated polystyrene-type material. Independent Claims 31 and 44 are amended to recite a minimum degree of hydrogenation of the block B of the addition polymerization copolymer (I). Support for the amendment is found in paragraph [0039] of the pre-grant publication. Support for new Claims 49 and 50 is found in the examples.

No new matter is believed to have been added by this amendment.

REMARKS/ARGUMENTS

Claims 1-30 are canceled. Applicants respectfully request withdrawal of the rejection of the claims over JP11-060835.

Applicants submit herewith a certified English translation of the priority document, i.e., JP2002-307541 having filing date of October 22, 2002. Submission of the certified English translation of the priority document to the present application serves to perfect Applicants' priority claim. Applicants note that the present application is a 371 of international application PCT/JP03/13376 having a filing date of October 20, 2003.

The Office cited EP 1923425 against the present claims. The EP '425 application corresponds with WO 2002/090433 having an earliest filing date of November 14, 2002. The WO '433 publication may therefore qualify as prior art under 35 U.S.C. §102(a). Applicants submission of a certified English translation of the priority document evidencing a date of invention prior to the earliest date on which the WO '433 publication qualifies as prior art served to antedate the reference and disqualify WO '433 and EP '425 and their equivalent as prior art to the present application.

Applicants request withdrawal of the rejection in view of the EP '425 reference.

The Office rejected Claims 31 and 44 as anticipated and/or obvious over Ho (U.S. 6,437,014). Claims 31 and 44 now recite an addition polymerization block copolymer (I) that includes a copolymer block B that is 70% or more hydrogenated. Applicants submit the molded article of Claim 31 and the method of Claim 44 are patentable over Ho.

The Office cited to column 12, lines 35-62 of Ho as evidence that the cited art describes a hydrogenated block copolymer having at least one block of hydrogenated polymerized vinyl aromatic monomer and at least one block of hydrogenated polymerized conjugated diene monomer (see the third sentence of the first full paragraph on page 6 of the October 4, 2010 Office Action).

The hydrogenated block polymer of Ho is described as follows:

The term “substantially hydrogenated block polymer” as used herein means a block copolymer that is characterized as having a hydrogenation level of greater than 90% (by number) for each vinyl aromatic monomer unit block and a hydrogenation level of greater than 95% (by number) for each conjugated diene polymer block, where for both of the vinyl aromatic monomer and conjugated diene monomer repeating unit blocks, hydrogenation converts unsaturated moieties into saturated moieties.

See column 12, lines 22-30 of Ho.

The addition polymerization block copolymer (I) of present Claims 31 and 44 is different from the substantially hydrogenated block polymer of Ho. The Ho polymer is essentially fully hydrogenated in all blocks whereas the addition polymerization block copolymer of the claimed invention is hydrogenated in polymer block B (i.e., the present claims recite an addition polymerization block copolymer having a polymer block B wherein 70% or more of the carbon-carbon double bonds are hydrogenated). New dependent Claims 45 and 47 further describe the addition polymerization block copolymer as one in which the polymer block A is not hydrogenated. New dependent Claims 46 and 48 further describe the addition polymerization block copolymer as having an amount of hydrogenation of 95% in the polymer block B.

Applicants respectfully request withdrawal of the rejection in view of the Ho reference.

Applicants draw the Office's attention to the examples of the present specification. The examples show that using an addition polymerization block copolymer (I) having a polymer block A that includes styrene and an alkyl-substituted styrene monomer unit is substantially improved in comparison to an addition polymerization block copolymer that includes a polymer block A having only one type of vinyl aromatic monomer units; namely

styrene. This effect of the invention is described, for example, in paragraph [0091] of the PG publication:

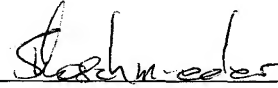
The results of Tables 1, 3 and 4 indicate that the molded articles formed over the respective polyolefin-based resin compositions of Examples 1-6 are more favorable, especially in terms of their heat resistance and solvent resistance, in the corresponding molded articles of the respective polyolefin-based resin compositions of the Comparative Examples 7-12, each of which includes a block copolymer having its hard segment formed of blocks composed solely of styrene units. The molded articles formed of the respective polyolefin-based resin compositions of Examples 1-6 are more favorable than the corresponding molded articles formed of the respective polyolefin-based resins of Comparative Examples 13 and 14 especially in terms of their flexibility and heat resistance.

New dependent Claims 49-50 recite an addition polymerization block copolymer that must include both a vinyl aromatic and an alkyl-substituted vinyl aromatic monomer unit in polymer block A. As explained above, the examples of the specification demonstrate that substantially superior heat resistance and flexibility are provided when polymer block A includes both a vinyl aromatic and an alkyl-substituted vinyl aromatic monomer unit. Applicants submit subject matter of new dependent Claims 49-50 is thus further not obvious over the art of record.

For the reasons discussed above in detail, Applicants request withdrawal of the rejection and the allowance of all now-pending claims.

Respectfully submitted,

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